407 *Code of Ethics*

Policy Statement – Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board recognizes that there are rules of ethical conduct for Elected Officials and employees which must be observed so as to maintain a high degree of moral conduct and public confidence. Therefore, the Town Board has adopted rules of ethical conduct. These rules are in addition to Article 18 of the General Municipal Law and any other law pertaining to ethical conduct or interest in contracts.

Definitions – For the purpose of the Town of Porter's Code of Ethics, the following terms shall have the meanings indicated:

- **Officer or Employee** – will mean and refer to an officer or employee of the Town of Porter, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person will be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer.

- **Interest** – will mean and refer to a pecuniary or material benefit accruing to an officer or employee, unless the context otherwise requires.

Standards of Conduct – An officer or employee is subject to, and must abide by, the following standards of conduct:

- **Gifts** – An officer or employee may not directly or indirectly solicit any gift or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of official duties or was intended as a reward for any official action on the officer's or employee's part;

- **Business before the Town or one's own department** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Town or one's own department over which the officer or employee has jurisdiction or to which the officer or employee has the power to appoint any member, officer or employee;

- **Representation before the Town for a contingent fee** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of the Town, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision will not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered;

- **Disclosure of interest in legislation** – To the extent that an officer or employee knows thereof, the officer or employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board must publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest the officer or employee has in such legislation;

- **Investments which conflict with official duties** – An officer or employee may not invest or hold any investment, directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with official duties;

- **Private employment** – An officer or employee may not engage in, solicit, negotiate for, or promise to accept private employment, or render services for private interests, when such employment or service creates a conflict with or impairs the proper discharge of official duties;

- **Confidential information** – An officer or employee may not disclose confidential information acquired in the course of official duties or use such information to further personal interest;

- **Future employment** – No officer or employee, within two years from the termination of services or employment with the Town, may accept employment which will involve contacts with the Town in which such employment takes advantage by virtue of ones' prior contact and relationship with the Town; or,

- **Future representation before the Town** – An officer or employee may not, after the termination of service or employment with the Town, appear before any board or agency of the Town in relation to any case, proceeding or application in which the officer or employee personally participated during the period of service or employment or which was under the officer's or employee's active consideration.

Penalties for Offenses – In addition to any penalty contained in any other provision of law, any person who shall knowingly violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.